

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

AGENDA

Town Commission Meeting Room
4501 Ocean Drive
Tuesday, October 23, 2007
7:00 P.M.

- 1. CALL TO ORDER, MAYOR OLIVER PARKER**
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 3. INVOCATION, TOWN CHAPLAIN**
- 3A. QUASI JUDICIAL PUBLIC HEARING – Application for Variance for 1603 West Terra Mar Drive Property Owner Bayman (Frank Rabinowitz – Director of Development Services)**
- 4. PRESENTATIONS**
 - a.** BSO Fire Rescue Response in LBTS and Auto-Aid agreement with Pompano Fire Rescue (Chief Sievers – Broward Sheriff's Office Fire)
- 5. REPORTS**
 - a.** Budget Report – September 20, 2007 – Preliminary Close (Martin Sherwood – Director of Finance and Budget)
 - b.** End of Month Report – September 2007 (Frank Rabinowitz – Director of Development Services)
 - c.** Monthly Report – September 2007 (John Olinzock – Assistant to Town Manager)
 - d.** Monthly Report – September 2007 - Broward Sheriff's Office Fire Rescue (Chief Sievers)
 - e.** Monthly Report – September 2007 (Chief Gooding – Broward Sheriff's Office)

6. APPROVAL OF MINUTES

- a. September 27, 2007 Special Budget Meeting
- b. October 9, 2007 Regular Commission Meeting
- c. November 14, 2006 Regular Commission Meeting

7. PUBLIC COMMENTS

8. ORDINANCES *(2nd Reading)* **“Public Hearings”**

- a. **ORDINANCE NO. 2007-12 - Rentals:** AN ORDINANCE OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA, ADDING A NEW ARTICLE IV TO CHAPTER 6 OF THE TOWN CODE OF ORDINANCES ESTABLISHING REGULATIONS AND LICENSING REQUIREMENTS FOR THE RENTAL OF RESIDENTIAL DWELLINGS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. (Attorney James Cherof)

9. COMMISSIONER COMMENTS

10. ORDINANCES *(1st Reading)*

- a. **ORDINANCE NO. 2007-16 – Waiving Parking Meter Fees:** AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING SECTION 19-25, “TIME RESTRICTED PARKING” BY AMENDING SUBSECTION (g), FOR PORTIONS OF COMMERCIAL BOULEVARD; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE. (Attorney Cherof)

11. CONSENT AGENDA

- a. Seagrape Streetscape Project
 - 1. Request for Commission approval for a staging area at 254 Algiers Avenue for ROW Permit #2007-008 (Walter Keller – Town Planner)
 - 2. Change order - Tenex
 - 3. Change order - Walter H. Keller
- b. Ratification of 10/12/07 Poll Vote for Property Owner Association (October Fest Event) and Volunteer Fire Department (Firemen’s Ball) (Esther Colon – Town Manager)

- c. Commission Approval of Relocation of Anglin Monument Sign to El Prado Park East of El Mar Drive by the Developer, Minto Communities, Inc. (John Olinzock – Assistant to the Town Manager)
- d. Commission Approval for Use of Jarvis Hall by the LBTS Citizens Action Committee on Sunday, November 11, 2007, from 7 till 10 PM to provide for State Representative Bogdanoff to Speak, to provide for Televising of the Event, and to waive the \$100.00 Application Fee (John Olinzock – Assistant to the Town Manager)
- e. Discussion and / or Action pertaining to Violation of Town's Code of Ordinance Order Imposing Fine / Certificate of Lien / Abatement Order (Case #'s 07-02-00280, 07-02-00281, 07-01-00462) (Frank Rabinowitz – Development Services)

12. RESOLUTION

13. OLD BUSINESS

- a. Application for use of Jarvis Hall - By-The-Sea Times – Change of Dates (Esther Colon - Town Manager)(Tabled at the October 9, 2007 Meeting)

14. NEW BUSINESS

- a. Waving application fees for Chamber Events (Vice Mayor Yanni)
- b. Discussion and/or action for issuance of Parking Permits at Metered Spaces – free of charge (Women's Club of Lauderdale-By-The-Sea) (Mayor Parker)
- c. Discussion and/or action for Issuance of Hardship Permit (Esther Colon – Town Manager)
- d. Discussion and/or action regarding instructing the Town Attorney to file ethics complaint against Commissioner Silverstone and Commissioner McIntee for repeated violation of the rule of voting, conflict of interest, and for attempting to terminate the contract of an existing Town vendor and giving the contract to another vendor controlled by them and which employ them (Mayor Parker)
- e. Discussion and/or action of changing Commission meeting of December 11, 2007 to December 13, 2007. (Reconsideration of changing Commission meeting back to December 11, 2007) (Mayor Parker)
- f. Discussion and/or action to prohibit giving tickets during Jarvis Hall events in Jarvis Hall (Vice Mayor Yanni)
- g. Designating a voting delegate and alternate to the National League of Cities (June White – Town Clerk)

- h.** Discussion and/or action regarding placing a sign at the new parking lot on A1A (Mayor Parker)
- i.** Discussion regarding options to obtain an entrance to the parking lot on A1A (Mayor Parker)

15. TOWN MANAGER REPORT

16. TOWN ATTORNEY REPORT

- a.** Report regarding the parking lot on A1A near Mac's Grove as requested by Vice Mayor Yanni at the October 9, 2006 meeting.
- b.** Opinion regarding an Ordinance prohibiting the display of inappropriate material in store fronts.

17. PUBLIC COMMENTS (remaining members of the public to speak at this time)

18. FUTURE AGENDA ITEMS

November 13, 2007

- a.** Discussion and/or action regarding placing pavers on El Mar Drive for the Coral Key project (Mayor Parker – Tabled from the July 10, 2007 meeting)
- b.** Discussion and/or action regarding giving the Performing Arts Center priority with dates at Jarvis Hall (Mayor Parker) Tabled from the September 25, 2007 meeting)
- c.** Discussion and/or action regarding renewing performing arts center contract (Vice Mayor Yanni) (Tabled from the September 25, 2007 meeting)
- d.** Variance opinion (Jim Cherof – Town Attorney) (From the September 25, 2007)
- e.** Discussion and/or action for reconsideration of Variance pertaining to 4243 Bougainvillea Drive (Commissioner McIntee) (Tabled from the September 25, 2007 meeting)
- f.** Discussion and / action in relation to the Volunteer Fire Department (Commissioner Clark) (From the September 25, 2007 meeting and tabled at the October 9, 2007 meeting)
- g.** Granting a day off for employee of the month along with a \$25 check (Vice Mayor Yanni) (From the October 9, 2007 meeting)

- h.** Review of the Jarvis Hall Use Ordinance (Attorney Cherof) (Tabled from the October 9, 2007 Meeting by Commissioner McIntee)

November 14, 2007 – Workshop

- a.** Discussion and/or action regarding change to El Mar Drive from present configuration to one lane (Commissioner Silverstone)

November 27, 2007

- a.** Special Assessment for Palm Club or in the alternative deed the road to the Town (Mayor Parker) (Tabled from the October 9, 2007 meeting)
- b.** Discussion and/or action regarding reappointment of Mayor Oliver Parker to the Hillsboro Inlet Commission (Commissioner Silverstone) (Requested at the October 9, 2007 meeting)

December 13, 2007

- a.** City of Ft. Lauderdale / Sale of Water System – Report by Mark Darmanin, City of Ft. Lauderdale (James Cherof) Regarding The Advantage Of The Sale, The Reason For The Surcharge, And The Value – (From The September 11, 2007 Meeting)

Items Tabled until Uncertain Date

- a.** Discussion and/or action regarding BSO letter of complaint dated 4/11/07 and event report dated 4/7/07 (Mayor Parker) (Pending IA report)
- b.** Report on public records request regarding tape referred to in 4/27/07 Commission Meeting (Mayor Parker) (Pending IA report)
- c.** Approximate Costs for the Town to Perform Solid Waste Collection
- d.** Discussion and/or action to reconsider the docks and floating docks and come up with a unified code (From the September 25, 2007 Meeting – Pending information from Stuart Dodd)

19. ADJOURNMENT

THE TOWN OF LAUDERDALE-BY-THE-SEA WILL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES NECESSARY TO AFFORD INDIVIDUALS AN EQUAL OPPORTUNITY TO PARTICIPATE IN MEETINGS OF THE TOWN COMMISSION. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATUTE 286.26, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE TOWN CLERK NO LATER THAN TWO (2) DAYS PRIOR TO THE MEETING AT (954) 776-0576 FOR ASSISTANCE.

Town Commission Regular Meeting Agenda
October 23, 2007

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE TOWN COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSES MAY NEED TO INSURE THAT A VERBATIM RECORDING OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.